

In re Review of the Commission's Rules and Policies Affecting the Conversion to Digital  
Television

**STATEMENT OF COMMISSIONER HAROLD W. FURCHTGOTT-ROTH  
CONCURRING IN PART AND DISSENTING IN PART**

I concur on the matters presented in the Report and Order because I believe the Commission has taken reasonable and appropriate steps to move the digital television transition forward. The decisions set forth in the Report and Order, such as affirming the 8 VSB standard, provide a modicum of certainty that will enable television stations to plan, build, and operate digital facilities in a timely fashion.

I do, however, dissent on the DTV tuner matters raised in the Further Notice of Proposed Rulemaking. In general, I have concerns about the government forcing technology on the public rather than letting the marketplace take the lead. More specifically, I am apprehensive about requiring DTV tuners to be built into all television sets because of the costs such a policy may impose upon set manufacturers and consumers. I find that government manufacturing standards rarely benefit the public. I also call into question whether the 1962 All Channel Receiver Act, as codified in Section 303(s) of the Act, provides the Commission with the authority to require DTV tuners to be built in all television sets. This particular statute was conceived at a time when digital television was mere science fiction--Congress could not have had DTV technology in mind when it was considering this law.